

FARMINGTON CITY
PLANNING COMMISSION MEETING
January 18, 2018

STUDY SESSION

***Present:** Commissioners Bret Gallacher, Roger Child, Connie Deianni and Rulon Homer, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Heidi Gordon. Commissioners Alex Leeman and Kent Hinckley were excused.*

Discussion Regarding the Order of Agenda Items and time

Item #4. Adam Nash/Growth Aid LLC – Requesting an amendment to the Farmington Greens PUD and related development agreement further defining setbacks and uses related to the commercial property located at the southeast corner of 1525 West and Clark Lane.

David Petersen provided the submitted letters from residents to the commissioners for review, and said the letters need to be entered into the public hearing. David explained that the property is on the corner of 1525 W. and Clark Ln. in the Farmington Greens subdivision. He explained that back in 1998 the city negotiated with the developer of Farmington Greens, which consisted of a 98 acres. At that time there was no thought of the Legacy Highway and a Burke Lane interchange. Farmington Ranches had also submitted application the same year. When the developer presented plans they had a lot of open space. They felt that they would like to see a convenient store in this parcel because residents would have to travel some distance to get to any other convenient store. However, the only reference is the development agreement to non-residential use are one or two words with no language provided as to what is meant by the “commercial”. Station Park became reality in 2007. For years the property has been vacant. Citizens, who have approached the city throughout the years, pleaded that the property not be turned into a commercial use. The developer initially approached the city with hopes of putting in apartments. There was a neighborhood meeting by the developer that concluded with an unfavorable outcome for the apartments. Eric Anderson pointed out that there is also the issue that the developer had already used all the density for residential uses throughout the rest of the subdivision.

REGULAR SESSION

***Present:** Commissioners Bret Gallacher, Roger Child, Connie Deianni and Rulon Homer, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Heidi Gordon. Commissioners Alex Leeman and Kent Hinckley were excused.*

Item #1. Minutes

Rulon Homer made a motion to approve the Minutes from the January 4, 2018 Planning Commission meeting. Connie Deianni seconded the motion, which was unanimously approved.

Item #2. City Council Report

David Petersen gave a report from the January 16, 2018 City Council meeting. The Council continued the item to February 6th to allow time to explore a TDR concept. There was a Zone Text Amendment for Chapter 27 approved by the City Council.

SUBDIVISION AND FINAL PUD MASTER PLAN

Item #3. Lew Swain – Requesting a preliminary plat and a recommendation for final PUD master plan approval of the proposed Swain PUD Subdivision consisting of 10 lots on 3.45 acres of property located at approximately 400 West and 1400 North in an LR-F (Large Residential Foothill) zone.

Eric Anderson said they received schematic plan approval in October of 2017. The layout hasn't changed. The right of way for 1400 North is a little wider than necessary, there is about 5 extra feet of right of way. The applicant is hoping the city will vacate the right of way. There have been discussions in DRC regarding water lines that will need to be looked at a little more. The layout is identical to the original schematic and PUD master plan proposal. Any conditions can be addressed on final plat. Staff feels comfortable about moving forward with this.

Lew Swain 1688 N. Canyon Circle, Farmington explained the typical distance between the top back of curb and the property line on any roadway is about 11 ½ ft. This accommodates park strip and sidewalk. Inadvertently, as a result of 17 ft. that was granted for a large pressurized irrigation line that runs east and west on the north side of 1400 N., his engineer drew the plat so that 17 ft. easement lined up with the road right of way. This easement will not change and it will accommodate future development. However, the easement stretches 5 ½ ft. behind the back of sidewalk and cause for a further setback on a lot. He has requested the city vacate that 5 ½ ft. as it relates to the right of way while maintaining all of the easement.

There was no additional discussion among the commissioners.

Motion:

Connie Deianni made a motion that the Planning Commission approve the preliminary plat, and recommend that the City Council approve the final PUD master plan and related street cross-section for the Swain PUD Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall enter into a development agreement memorializing the approved master plan prior to or concurrent with final plat;
2. The applicant shall meet all standards and requirements as set forth in Section 11-30-050 of the Zoning Ordinance.
3. The applicant shall obtain approval from the City to vacate approximately 5' of right-of-way prior to or concurrent with final plat;
4. The applicant shall preserve the grove of Gambel oak trees that currently exist on Parcel A;
5. All outstanding comments from the DRC for preliminary plat shall be addressed on final plat.

Findings for Approval:

1. The proposed subdivision plat and master plan meet the requirements of the subdivision and zoning ordinances of an LR (PUD) zone.
2. The proposed development is an in-fill project and allows the property owner the highest and best use of his property.
3. There is not an HOA, which is beneficial considering that with the small number of homes, it would likely lack the economy of scale necessary to make the HOA sustainable;
4. The proposed plans are consistent with the General Plan.
5. The proposed densities and lot sizes are consistent with the surrounding neighborhoods.
6. The attached landscape plan is of a high design quality and meets the standards set forth in Section 11-27-070; additionally.
7. Because the homes that are being built within the subdivision are custom, the applicant did not provide elevations; however, by requesting that the elevations of the “type of home likely to be built” in the subdivision at final PUD master plan, the requirement will be met.
8. The foothill overlay zone requirements, as set forth in Chapter 30 of the Zoning Ordinance, will be met at final plat, as is customary in these zones.
9. The applicant is providing 9,621 s.f. of unimproved conservation open space, which will preserve a grove of Gambel oak trees.
10. The remaining 12,921 s.f. of open space that the ordinance requires can be better utilized elsewhere in the City to help in the construction of parks or trails.
11. The sidewalk along Parcel A is not necessary because there is not an existing sidewalk to connect to and it is unlikely that there will ever be sidewalk to the west; additionally, by not requiring sidewalk, a grove of oak trees will be preserved.

Roger Child seconded the motion, which was unanimously approved.

PLANNED UNIT DEVELOPMENT

Item #4. Adam Nash/Growth Aid LLC – Requesting an amendment to the Farmington Greens PUD and related development agreement further defining setbacks and uses related to the commercial property located at the southeast corner of 1525 West and Clark Lane.

David Petersen mentioned that they started the meeting a bit early because one of the members has to leave at 8:00 p.m., which means that they wouldn't have a quorum after that so they moved swiftly through the items that were not a public hearing prior to 7:00 p.m.

David Petersen explained the Farmington Greens subdivision original master plan. The original developer could have done half acre lots. But he wanted to do something more creative if he could set aside a large amount of open space that included trails. This was before the Farmington Ranches subdivision had been started and there were only 70 homes on the west side of the city. The Developer wanted the commercial parcel put into place because of the distance people would have to travel for any grocery items. The City Council at the time felt like a commercial lot made sense there. When they designated the piece of ground it was for, “commercial support and services”. The original development

agreement has one reference to this in the recitals, developer will do 170 residential lots and approximately 3 acres of commercial property. Since then several citizens have approached the City and questioned what will happen with the property and have expressed that they don't want a gas station or convenience store on the property. There have been talks of a possible LDS church being built there but there is not enough land for that use. The City also considered placing a satellite fire station there. Geographically that wouldn't work however, because they need the station close to the Kaysville border so that it could serve both cities. Office buildings have been looked at but there is not a market for this use at this location. The developer had a neighborhood meeting with the idea of placing an apartment building on the property. The community was not in favor of the apartment building. They also were concerned that the developer had already met the quota on rooftops in the area. The developer approached the city with a class A self storage. This is a use that doesn't have a lot of traffic or negative uses.

Bret Gallacher questioned what legally could be put on this property?

David Petersen said at this time with the development agreement in place the only use would be commercial but that is not defined.

Adam Nash 67 S. 900 E., Salt Lake City with Growth Aid LLC explained that he has presented to staff 3 different uses for the property; which also included a car wash and apartments. The apartment meeting had a lot of resistance from the community. Mr. Nash has been working with staff to come up with a plan that has less traffic and is esthetically pleasing to the community.

Roger Child asked about the class A storage units and if they included onsite management? **Mr. Nash** said there will not be anyone living onsite. There will however be office/retail space what will be used during the daytime which would include a management office.

Bret Gallacher opened the public hearing at 7:18 p.m.

Ross Kesler 58 S. 1860 W., Farmington expressed that he was grateful that there would be no apartments on the property. He would like to see more plans along with more neighborhood comments. He feels the current plans are a step in the right direction but would like to see more homes on the property instead.

Jerald Taylor 1517 W. Longhorn Dr., Farmington said that he would like to see more exploration on what could be done on the property. He is concerned about the setbacks and would like the current setbacks to stay in place. **Mr. Taylor** read aloud the city's AE ordinance. He would like to see a zone change that would allow more options that would include residential homes. **David Petersen** said that the property was rezoned in 2000 from agricultural estates to agriculture planned unit development. What the City Council did was a legislative act that established a new zone. The chapter applies to a degree on this but it has been augmented quite a bit relating to this.

David Huffines 1511 W. Longhorn Dr., Farmington stated the use for the property is not the same as it was back when it was originally developed. He feels that the community has grown up over the last 20 years and that commercial development isn't as necessary now that Station Park is here. He feels that it would be best suited to have this rezoned for homes.

Jason Murphy 1481 W. Brahma Rd, Farmington questioned if there was any variance for more rooftops? He said that he would be in favor of a more affordable housing development such as townhomes. He feels a commercial use would hurt the community.

Stephen Sherlock 1371 W. Longhorn Dr., Farmington expressed his concern about the traffic that would impact the area daily. He is also concerned about the children walking to the school. He feels twin homes would be a good use.

Matthew Rogers 1919 W. Old Fort Rd., Farmington, the president of the Farmington Ranches HOA said he was concerned about the elevations and the height of the buildings. He also feels that there should be more clarification on the store front use. He believes there needs to be more discussion and that 33% higher is not good.

Greg Daley 2087 W. Stampede Dr., Farmington said that he feels that residential is the right use for the land. But if it has to stay commercial he believes this would be the best option. He questioned how many businesses would be in the front of the development and will there be any parking and traffic issues that will come along with it? Will they follow through with the landscaping?

Ross Kesler 58 S. 1860 W., Farmington, He would like to know if there would be specific times that they would put in place for when the storage units could be accessed? He also wanted to put out there if the city had any land by station park that they could trade for this property?

Doug Marsiglia 1441 W. Longhorn Dr., Farmington He thinks this is a good idea. He is disappointed with the city for not doing anything with the property.

Bret Gallacher closed the public hearing at 7:39 p.m.

Roger Child said that if they were to down zone the property it may bring in some legal issues. He thinks that the bottom line is we have to look at something that is a commercial use. He feels storage units are about as clean as a commercial project can get. He is worried about a cold look to the development.

Connie Deianni said that she is concerned that there be a stipulation on the sizing of the trees put in. She feels it is a beautiful façade for a self storage building. She is apprehensive on the height as well but believes that could be mitigated at some point. She would also like to see the hours of use be minimized.

Eric Anderson said that if the PUD amendment and the amendment to the development agreement are approved that they will still have to come to the Planning Commission for a Conditional Use permit and site plan approval that would allow the City to set up parameters for such items as restrictions for hours of operation, trees and the esthetics of it could be addressed at that time. The concern for the meeting tonight is the setbacks and the commercial use.

Bret Gallacher they could come back to us later with a better defined retail plan.

Eric Anderson recommended that the item be tabled so that we could look at the height restriction and setbacks.

David Petersen said the other advantage of tabling the item would give the developer an opportunity, if they choose, to have another neighborhood meeting.

Rulon Homer questioned what the height limit is according to the city ordinance? **David Petersen** said that the height limit in the AE zone is 27 ft. in the city ordinances.

Rulon Homer would like to see more elevations and plans on the development.

Motion:

Connie Deianni made a motion to table Farmington Greens PUD Master Plan Amendment. Roger Child seconded the motion, which was unanimously approved.

David Petersen mentioned the West Davis Corridor and how the city would like the state to designate it as a scenic byway. There will be an open house Tuesday, January 23rd.

OTHER

Item #5a. Royd Waters – requesting special exception approval for a lot split on .39 acres of property located at 95 W. State St. in an R-4 (Multi Family Residential) zone.

Eric Anderson said the applicant would like to divide the lot and put a home on the southern lot. The property is zoned R-4 they could possibly do a triplex or add on to the current home. The owner would like to do a special exception. Staff is recommending the special exception. In order for this to happen they need to have a special exception that would give the city a possibility to deviate from the minimum lot size.

Royd Waters 95 W. State St., Farmington he explained how the lot would be split.

Greg Call 942 S. Ridgeline Cir., Centerville, said that he was there to support Mr. Waters and feels that what he would like to do would be a good use for the property rather than a multi-unit.

Roger Child asked if there were any concerns from the neighbor to the south of Mr. Waters?

Royd Waters he has not approached them with it.

Eric Anderson stated that a couple of years ago Special Exceptions were only at a public meeting. The city since changed that to a public hearing. There was a zone text amendment that made it a public hearing which also includes a notice that is sent out to anyone within a 300 ft. There was a notice sent out on this item.

Connie Deianni made a motion to move that the Planning Commission approve the special exception subject to all applicable Farmington City standards and ordinances and the following conditions:

1. The design for the new home shall follow 'new construction design guidelines' for the OTR zone, as found in Section 11-17-070;
2. Any deviations from Chapter 13 of the Zoning Ordinance beyond the minimum lot area, setbacks, and lot width requirements shall come before the Planning Commission as a Special Exception.

Move to approve. Rulon Homer seconded the motion, which was unanimously approved.

Finding for Approval:

1. The property is currently zoned for multi-family, and could fit a 3-plex on the parcel. An additional single family home is far preferable to an apartment or eve an additional attached unit.
2. The southern portion of the property is currently open, and creates a gap in the street face, by building a single family home on this portion of the property, the proposal will fill in this gap.
3. The Special Exception is minor and will be consistent with other homes in the neighborhood.

Move to approve. **Rulon Homer** seconded the motion, which was unanimously approved.

ADJOURNMENT

Motion:

At 8:03 p.m., **Roger Child** made a motion to adjourn the meeting, **Connie Deianni** seconded the motion, which was unanimously approved.


Bret Galacher
Vice Chair, Farmington City Planning Commission